

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

SHARON E. DUBEE,	)	
	)	CIVIL ACTION
Plaintiff,	)	
	)	NO: 1:11-CV-2024-TWT-ECS
v.	)	
	)	
MICHAEL ASTRUE,	)	
Commissioner of Social	)	
Security,	)	
	)	
Defendant.	)	

**FINAL REPORT AND RECOMMENDATION OF**  
**UNITED STATES MAGISTRATE JUDGE**

This matter is before the Court after Plaintiff failed to respond to this Court's show cause order dated October 26, 2012. See [Doc. 18]. For the reasons described below, the Court **RECOMMENDS** that this action be **DISMISSED without prejudice** pursuant to Local Rule 41.3.

On June 22, 2011, Plaintiff, proceeding pro se, filed an application in this Court to proceed in forma pauperis with an appeal of an unfavorable social security decision. [Doc. 1]. The Court granted Plaintiff's pauper request on August 9, 2011, and her complaint was filed the same day. [Docs. 2, 3]. The Commissioner filed an answer on March 1, 2012, and requested that the Court provide the parties with a briefing schedule. [Docs. 12, 14]. Thereafter, Plaintiff filed a motion "to Delay To a later Date so I can work on retaining a lawyer ...." [Doc. 15]. On April 23, 2012, the Court granted Plaintiff's motion and directed her to retain

counsel within fifteen (15) days. [Doc. 16]. In addition, the Court advised the parties that a briefing schedule would be issued after the expiration of the aforementioned fifteen days, "regardless of whether counsel has or has not appeared on behalf of Plaintiff in this case." [Doc. 16]. To date, no attorney has made an appearance of Plaintiff's behalf.

On June 19, 2012, the Court issued an Order that included a briefing schedule and directions for Plaintiff to file her brief by August 14, 2012. [Doc. 17]. After an additional two months had passed with no brief having been filed, the Court issued an Order on October 26, 2012, directing Plaintiff to show cause in writing why this case should not be dismissed. [Doc. 18]. To date, Plaintiff has not responded to the Court's Order.

Local Rule 41.3 entitled "Dismissal for Want of Prosecution" provides that the Court may dismiss a civil case for want of prosecution if a plaintiff "fail[s] or refuse[s] to obey a lawful order of the court in the case[.]" LR 41.3A.(2) NDGa. In light of Plaintiff's ongoing refusal to obey lawful orders of this Court, **IT IS RECOMMENDED** that the instant case be **DISMISSED without prejudice**. The Clerk is **DIRECTED** to terminate the reference of this case to the undersigned magistrate judge.

**SO REPORTED AND RECOMMENDED**, this 19th day of November, 2012.

S/ E. Clayton Scofield III  
E. Clayton Scofield III  
UNITED STATES MAGISTRATE JUDGE